



PATENT
Attorney Docket No. 011738.00144

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Ivan Osorio et al

Examiner: Jeffrey Jastrzab

Appln. No.: 10/712,975

Group Art Unit: 3762

Filing Date: November 13, 2003

For: VAGAL NERVE STIMULATION TECHNIQUES FOR TREATMENT OF
EPILEPTIC SEIZURES

RESPONSE TO
NOTICE OF NON-COMPLIANT AMENDMENT

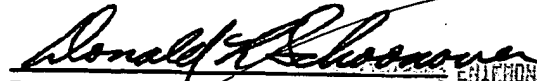
Mail Stop AMENDMENT
Assistant Commissioner for Patents
P. O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

The following is in response to the Notice of Non-Compliant Amendment mailed January
13, 2005.

CERTIFICATION UNDER 37 CFR § 1.10

I hereby certify that this document is being deposited with the United States Postal
Service as first class mail, postage prepaid, in an envelope addressed to Mail Stop
AMENDMENT, Commissioner for Patents, P. O. Box 1450, Alexandria, Virginia 22313-1450
on February 14, 2005.


Donald R. Schoonover

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REMARKS:

Applicant has carefully considered the Notice of Non-Compliant Amendment mailed January 13, 2005. Reconsideration of the application in view of the present response is respectfully requested.

The amendment filed on December 14, 2004 was considered to be non-compliant because the listing of claims did not include the text of the claims which had been cancelled. In response thereto, the text of all claims remaining in contention, plus the text of claims 70-89 which have been cancelled without prejudice or disclaimer, are contained herein.

The amendment filed on December 14, 2004 was in response to a non-final Office Action. The last day of the one-month time period for response falls on Sunday, February 13, 2005. As this response is being mailed on the day immediately following Sunday, February 13, 2005, it is believed that this response is timely and, therefore, a petition for a time extension is not required. If this belief is incorrect, the undersigned hereby authorizes charging Account No. 50-0961 for any additional fees.

Respectfully submitted,
IVAN OSORIO et al



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